

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION**

Susan Rae Berkowitz,

Civil No. 06-934 PAM/AJB

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated July 17, 2006, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that petitioner Susan Rae Berkowitz's Petition Under 28 U.S.C. § 2254 by a Person in State Custody is **dismissed with prejudice** [Docket No. 1].

Dated: August 7, 2006

s/ Paul A. Magnuson
Paul A. Magnuson
Senior United States District Court Judge